

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LINWOOD E. TRACY, JR.,) 3:09-CV-00355-PMP-LRL
Plaintiff,)
vs.) **ORDER**
EDWARD C. REED, JR.,)
Defendant.)

Before the Court for consideration is Defendant's Motion to Dismiss (Doc. #13) filed August 17, 2009, by the United States Attorney for the District of Nevada.

Plaintiff Tracy has failed to timely file a response to Defendant's motion to dismiss. Moreover, it is clear from a reading of Defendant's motion to dismiss that Defendant is entitled to the relief requested.

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss (Doc. #13) is hereby GRANTED and the Clerk of Court shall forthwith enter judgment in favor of the Defendant Edward C. Reed, Jr., and against Plaintiff Linwood E. Tracy, Jr.

IT IS FURTHER ORDERED that Plaintiff Tracy's Motion to Dismiss the Filing of Defendant's Statement RE: Removal (Doc. #8), which is reflected in the Clerks Office Minute Order dated August 3, 2009, is DENIED.

DATED: September 9, 2009.


Philip M. Pro